

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2001-005195

02/10/2003

HONORABLE MAURICE PORTLEY

CLERK OF THE COURT
C. Danos
Deputy

IN RE THE MARRIAGE OF
CHRISTOPHER M MCNICHOL

FILED: 02/13/2003

CHRISTOPHER M MCNICHOL
6885 E COCHISE RD #126
SCOTTSDALE AZ 85253-0000

AND

KATHRYN A MCNICHOL

KATHRYN A MCNICHOL
6004 E LAUREL LN #3
SCOTTSDALE AZ 85254-0000

CONCILIATION SERVICES-CCC
DOCKET-FAMILY COURT CCC

**MINUTE ENTRY
AND
DECREE OF DIVORCE**

9:04 a.m. This is the time set for Trial. Petitioner, an attorney, is present on his own behalf. Respondent is neither present nor represented by counsel.

Court reporter, Denise Vaishville, is present.

Settlement status discussed.

The Court is advised that the two issues to have been addressed this date have been resolved.

9:09 a.m. Mother is telephonically present.

Mother confirms a settlement has taken place.

9:11 a.m. The Court stands at recess to provide the parties an opportunity to confer.

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9:23 a.m. Court reconvenes. Petitioner, an attorney, is present on his own behalf. Respondent is neither present nor represented by counsel.

Court reporter, Denise Vaishville, is present.

Christopher M. McNichol is sworn and testifies.

Jurisdictional testimony is taken.

The Court notes that when the parties were last here in court they had reached agreements and prepared settlement documents. The Court is advised that new issues came up with respect to the joint custody agreement that had not arisen at the status conference.

THE COURT FINDS that it has jurisdiction over the parties and the subject matter, and that all jurisdictional requirements have been met.

IT IS ORDERED dissolving the marriage and returning the parties to the status of single persons.

THE COURT FINDS AS FOLLOWS:

The parties have been working together with respect to the issues of custody and access.

They have agreed to joint custody of their two children: Andrew (DOB: 02/15/89) and Shay (DOB: 03/11/92).

The parties have had a working access arrangement. The joint custody agreement wasn't an issue until apparently this morning at the time set for trial.

The parties have resolved the house, the condo, personal property, the vehicles, the partnership, 401K and IRA, the malpractice claim, the Visa bill, taxes, the equalization payment, child support of \$1,000 a month, plus the extra-curricular expenses and spousal maintenance. In a document entitled, Settlement Agreement in Principle, which is filed, though unsigned, and incorporated by reference.

As Father's child support payments are presently being made directly to Mother, are not an issue and are current, the Court will not order Father to pay child support through the Support Clearinghouse at this time.

9:43 a.m. Mother is telephonically present.

Mother is advised that the marriage is dissolved.

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Mother advises the Court that she wishes to keep her name of Kathryn A. McNichol.

The parties have an access arrangement. Father wants a formal parenting plan. Mother wants to maintain the status quo.

The Court will keep the current access schedule, but refer the parties to EPDC. If they cannot resolve it, the Court will use the conference report to set a parenting time schedule.

EARLY POST-DECREE CONFERENCE SET

It appearing to the Court that there exists issues pertaining to the parenting of the minor children. The Court having determined that this is an appropriate matter to be referred to Conciliation Services for an Early Post-Decree Conference, and the Court having contacted Conciliation Services in open Court to determine a time for the conference,

IT IS ORDERED referring this matter to Conciliation Services for an Early Post-Decree Conference on March 5, 2003, at 1:30 p.m. Conciliation Services shall conduct such services, and obtain such information as it deems necessary and appropriate to address the contested issue(s).

FILED: Joint Custody Agreement unsigned.

9:56 a.m. Matter concludes.

IT IS FURTHER ORDERED signing this minute entry as a formal written Order of the Court, pursuant to Rule 58(a) and waiving the requirements of Rule 58(d), Arizona Rules of Civil Procedure.

/S/ HONORABLE MAURICE PORTLEY

JUDICIAL OFFICER OF THE SUPERIOR COURT